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July 15, 1994

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EX PARTE

EX PARTE OR LATE FILED

William F. Caton
Acting Secretary
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED

JUL 15 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: PR Docket No. 93-61
Automatic Vehicle Monitoring Systems

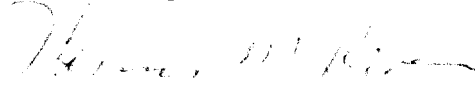
Dear Mr. Caton:

On Friday, July 15, 1994, a copy of the attached letter was delivered to the Chairman and all of the Commissioners, as well as to the Commission's Staff listed at the end of the letter.

Two copies of this letter are being submitted to the Secretary of the Commission pursuant to § 1.1206(a)(1) of the Commission's Rules.

Please contact the undersigned if you have any questions or require additional information concerning this matter.

Sincerely,



Henry M. Rivera

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List A B C D E

EX PARTE OR LATE FILED

July 15, 1994

The Honorable Reed Hundt, Chairman
The Honorable James H. Quello, Commissioner
The Honorable Andrew C. Barrett, Commissioner
The Honorable Susan Ness, Commissioner
The Honorable Rachelle Chong, Commissioner
Federal Communications Commission
1919 M Street, N.W.
Washington, D.C. 20554

RECEIVED

JUL 15 1994

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: PR Docket No. 93-61
Automatic Vehicle Monitoring

Dear Mr. Chairman and Commissioners:

The undersigned are manufacturers, users, and associations of manufacturers and users of sophisticated, low power Part 15 equipment operating on an unlicensed basis in the 902-928 MHz frequency band. The above-referenced proceeding proposes to establish a new service in this frequency band, the Location and Monitoring Service ("LMS"). This proposal, if adopted, will jeopardize the very existence of the hundreds of million dollar Part 15 industry which has developed sophisticated and robust equipment that uses American technology, provides American jobs, and serves American consumers and industry. Although a substantial quantity of Part 15 equipment has been deployed, development now underway will result in a major increase in the availability of such equipment, provided the market is not foreclosed by LMS.

The undersigned are aware that on June 23, 1994, certain parties who have promoted wide-band multilateration automatic vehicle monitoring ("AVM") systems filed a paper entitled, "LMS Consensus Position on Part 15 Interference" (the "Joint Filing"). The Joint Filing has been marketed by its proponents as a "compromise," although it is interesting to note that one of the signing companies, Pinpoint, filed a detailed letter several days later that sought to distinguish its position from that of the other wideband LMS providers.

This so-called compromise offers nothing to the Part 15 Community. It is merely an articulation of the methodology that is currently used to solve interference between Part 15 devices and AVM systems. This is particularly true given the fact that the proposal leaves the current hierarchy rules in place so that if no

agreement is reached to resolve an interference problem, the licensed service can still resort to its more senior position in the hierarchy to shut down Part 15 devices. Additionally, the undersigned in no way agree with the LMS proponents' premise that "no further round of notice and comment is necessary."

The undersigned are preparing a detailed and technical analysis that takes issue with the premises and conclusions of the Joint Filing. This analysis will be filed with the Commission in the near future.

The Part 15 Community made a very constructive proposal almost a year ago which it is restating now. The Joint Filing and the record in this proceeding demonstrate that there are several unresolved technical issues in this proceeding, including (1) the necessary bandwidth for LMS systems, (2) coexistence of narrow-band and wide-band systems, and (3) coexistence between LMS systems and Part 15 devices. In August, 1993, the Telecommunications Industry Association ("TIA") attempted, with the concurrence from the Chief of the Private Radio Bureau, to create an ad hoc cross-industry working group to investigate these issues in more depth and report its findings to the FCC. See the attached letter.

TIA envisioned a series of one-day meetings intended to reach consensus on the unresolved technical issues. TIA anticipated that those participating in the meetings would be technical experts (not policy-oriented personnel) from all areas affected by this proceeding.

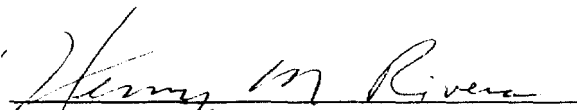
The Part 15 Coalition responded to TIA's letter requesting an expression of interest about the cross-industry working group with a letter enthusiastically supporting such an effort. The Coalition offered to host the first cross-industry working group and blocked out space for the meeting at the Hilton Towers on October 14-15, 1993 in San Jose, California. The Coalition also proposed an agenda for that meeting.

Unfortunately, the meeting never took place because the main wide-band multilateration AVM proponent was not interested in holding such a meeting, or meetings, and because the FCC apparently did not want to form an official advisory committee to deal with these technical issues. TIA and the Part 15 Community wish once again to propose a series of cross-industry technical meetings aimed at developing a true compromise in this proceeding. If the wide-band multilateration AVM proponents are sincere in wanting to find common ground in this proceeding, that community should accept the invitation of the undersigned Part 15 parties and come to the table in an attempt to resolve the technical problems that have been an inherent part of this proceeding since its inception.

The undersigned, therefore, respectfully request that the Commission encourage all parties to participate in a cross-industry

advisory working group to resolve the technical issues in this proceeding. Alternatively, the undersigned suggest that the Commission form an official advisory committee to find technical solutions to the technical problems in this proceeding. TIA would be pleased to lend whatever assistance the FCC wanted in convening such a cross-industry working group or advisory committee.

Respectfully submitted,


Henry M. Rivera
Counsel for
METRICOM, INC.

/s/ Edwin N. Lavergne
Edwin N. Lavergne
Counsel for
ADEMCO

/s/ John A. Prendergast
John A. Prendergast
Counsel For
ALARM INDUSTRY COMMUNICATIONS COMMITTEE

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Counsel For
CELLNET DATA SYSTEMS

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Staff Vice President, Government and
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Consumer Electronics Group
ELECTRONIC INDUSTRIES ASSOCIATION

/s/ Richard G. Geiger
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Vice President
ITRON, INC.

/s/ Lawrence J. Movshin
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Counsel For
KNOGO CORPORATION

/s/ Robert Aldrich

Robert Aldrich
Counsel for
NATA

/s/ Steve Schear

Steve Schear, Chairman
PART 15 COALITION

/s/ Walter A. Engdahl

Walter A. Engdahl, Esquire
SENSORMATIC ELECTRONICS CORPORATION

/s/ Henry M. Rivera

Henry M. Rivera
Counsel for
SOUTHERN CALIFORNIA EDISON CO.

/s/ Margaret Charles

Margaret Charles
Counsel for
SPECTRALINK

/s/ Mitchell Lazarus

Mitchell Lazarus
Counsel For
SYMBOL TECHNOLOGIES, INC.

/s/ Jay E. Padgett

Jay E. Padgett
Chairman, Consumer Radio Section, MPC
TELECOMMUNICATIONS INDUSTRY ASSOCIATION

/s/ Wray C. Hiser

Wray C. Hiser
Associate General Counsel
THOMPSON CONSUMER ELECTRONICS, INC.

/s/ Jeffrey L. Sheldon

Jeffrey L. Sheldon
General Counsel
UTILITIES TELECOMMUNICATIONS COUNCIL

cc: Ruth Milkman
Lauren J. Belvin
James R. Coltharp
Jané E. Mago
Rosalind K. Allen
Ralph Haller
F. Ronald Netro

1

Martin D. Liebman
Thomas P. Stanley
Bruce A. Franca
Richard M. Smith
Michael J. Marcus
Kathleen Abernathy
David E. Hilliard
Southwestern Bell
MobileVision
Uniplex

TO: Docket 93-61 Service List

DATE: August 26, 1993

As you know, Comments and Reply Comments were recently filed with the FCC on the NPRM in PR Docket 93-61, which proposes to adopt permanent rules under Part 90 for a "Location and Monitoring Service" (LMS) in the 902-928 MHz band. The proposed set of rules would be a modified version of the existing interim rules governing Automatic Vehicle Monitoring (AVM) systems.

Based on the filings, there seem to be several unresolved technical issues, including (1) the necessary bandwidth for LMS systems, (2) coexistence of local-area and wide-area systems, and (3) coexistence between LMS systems and Part 15 devices, which also are authorized in that band. TIA is considering the creation of an ad hoc cross-industry working group to investigate these issues in more depth and report its findings to the FCC. We envision the format as a series of one-day working meetings which will attempt to reach consensus on currently unresolved issues. We wish to emphasize that the participants should be technical experts.

The purpose of this letter is to explore the degree of interest in participation in such a forum. Please return the attached form by **SEPTEMBER 10**. I would be happy to discuss this proposal with anyone, and can be reached on 202/457-4990.

Sincerely,



Eric J. Schimmel
Vice-President
Telecommunications Industry Association

cc: TIA Mobile & Personal Communications Division
TIA Mobile & Personal Communications Consumer Radio Section

DOCKET 93-61 AD-HOC QUESTIONNAIRE

1. Can we expect technical participation from your organization?

_____ yes or _____ no

2. If yes, will you be willing to make a nominal prorated contribution to cover the material expenses of the meetings?

_____ yes or _____ no

3. In what part of the country would you prefer one or more of the meetings to be held?

4. List in order of priority the issues which this effort should address.

a. _____

b. _____

c. _____

d. _____

NAME _____

COMPANY _____

ADDRESS _____

PHONE & FAX _____

RETURN BY SEPTEMBER 10 TO TIA:

ATTN: LISA LUDWIG

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